

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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13-md-2481 (KBF)
and all related cases

ORDER

KATHERINE B. FORREST, District Judge:

The Court is in receipt of defendants' motion for judgment on the pleadings pursuant to Rule 12(c) (the "Motion") (ECF No. 1049) and plaintiffs' opposition thereto (ECF No. 1059).

The Court believes that the Motion can be resolved under Rule 12(c), but notes that plaintiffs have cited to the evidentiary record in their opposition (see ECF No. 1059) and have submitted a statement of undisputed facts (ECF No. 1059-1).

The Court hereby gives notice that the Motion is converted pursuant to Rule 12(d) to one for summary judgment. To the extent plaintiffs would like to present any additional evidence pertinent to the Motion, they must do so immediately (the Court assumes that, based on the recent filing, plaintiffs have already included that which they deemed appropriate). Defendants, of course, may do the same in their forthcoming reply brief, the schedule for which is adjusted as follows:

In light of this order, the Court hereby extends the deadline for defendants to submit their reply brief in support of the Motion to **Wednesday, September 7, 2016.**

SO ORDERED.

Dated: New York, New York
August 30, 2016

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge